

Elisha Kobre

Partner

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MEMORANDUM ENDORSED

March 4, 2024

VIA ECF

The Honorable Gregory H. Woods
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

USDC SDNY
DOCUMENT
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Re: *United States v. Srinivasa Kakkera, 22 Cr. 398 (GHW)*

Dear Judge Woods:

The parties respectfully submit this joint letter-motion requesting an order pursuant to 28 U.S.C. § 2044 directing that the sum of \$150,000 cash posted by the defendant to secure his release on bail in this case be applied directly to the defendant's outstanding forfeiture obligation. Title 28, United States Code, Section 2044 provides that the Court shall, “[o]n motion of the United States attorney . . . order any money belonging to and deposited by . . . the defendant . . . for the purposes of a criminal appearance bail bond . . . to be held and paid over to the United States attorney to be applied to the payment of any assessment, fine, restitution, or penalty imposed upon the defendant.”

Mr. Kakkera posted security in the form of \$150,000 cash as part of the conditions of his pretrial release. *See* Dkt. #32. On January 3, 2024, as part of the sentence imposed on the defendant, the Court directed the defendant to pay forfeiture in the amount of \$2,453,687.99 and a fine in the amount of \$75,000. *See* Dkts. # 126, 129 (Final Judgment and Preliminary Order of Forfeiture). Mr. Kakkera has already paid the fine in full. Mr. Kakkera would like to begin payment of forfeiture as soon as practicable and to apply the \$150,000 cash security to the forfeiture amount immediately.

The Government makes this motion jointly with the defendant, such that the parties believe this motion constitutes a motion of the United States Attorney for purposes of 28 U.S.C. § 2044.

For the reasons discussed above and pursuant to 28 U.S.C. § 2044, the parties respectfully request that the Court so-order this letter directing that the \$150,000 cash posted by the defendant to secure his release on bail now be applied towards the outstanding fine.

The Honorable Gregory H. Woods

March 4, 2024

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Sincerely,



Elisha Kobre

Application granted. The Court directs that the cash bond posted by the defendant be applied toward his forfeiture obligation. The Clerk of Court is directed to terminate the motion pending at Dkt. No. 139.

SO ORDERED.

Dated: March 5, 2024
New York, New York



GREGORY H. WOODS
United States District Judge